

REMARKS

Claim 19 has been amended to correctly refer to independent claim 15.

A copy of the Form PTO-1449 that was filed on 10/03/2000 is appended to this response. The undersigned attorney recently received the transfer of this file from another law firm. Unfortunately, the received file does not contain the return post card from the USPTO showing receipt of this paper. The Examiner is respectfully requested to initial the attached PTO-1449 to show that he has considered the cited references, to make these references of record in this patent application, and to return a copy of the initialed PTO-1449 to the undersigned attorney with the next Office Communication.

Claims 2, 3, 5 and 6 have been amended to delete all references to "step" and "step of". These claims, as now clarified by amendment, should be found to be free of rejection under 35 U.S.C. 112, second paragraph. This amendment is deemed to be cosmetic in nature, and thus was not made for a reason related to patentability, as the Examiner could have simply objected to these claims along with claim 19, and not rejected them under 35 U.S.C. 112, second paragraph. In any event, this amendment should not be construed to impair in any way the application of the full range of equivalents for the claimed subject matter.

Claims 1-4, 9-12 and 15-18 have been rejected under 35 U.S.C. 102(e) as being anticipated by Park (U.S. 6,618,361 B1), and claims 5, 6, 8, 13, 14, 19 and 20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Park in view of the publication "SSA: A High Performance Interface for Unparalleled Connectivity", by Wilson. These rejections are respectfully disagreed with, and are traversed below.

Park describes a technique for performing an IEEE 1394 (FireWire™) reset operation. It is respectfully submitted that the IEEE 1394 bus is significantly different from the bus architecture that is the subject matter of this invention, and that for at least this reason alone Park cannot anticipate the independent claims under 35 U.S.C. 102(e).

For example, the bus of interest to this invention is capable of assuming a loop configuration (see, for example, page 1, lines 23-26; and Fig. 1), and uses nodes with two ports (see, for example, page 2, lines 1-10), while the IEEE 1394 bus apparently is not capable of forming loops, and uses nodes with at least three ports (see Park at col. 3, lines 39-42; col. 4, lines 37-40, and the attached 18 page document by Jennings: "Fire on the Wire: The IEEE 1934 [sic, 1394] High Performance Serial Bus", copyright 1998). For example, on page 2 of Jennings the IEEE 1394 bus is described as being "non-cyclic", i.e., devices cannot be plugged together to form loops, and that each node usually has three connectors, although up to 27 are supported. Thus, while page 3 of Jennings refers to a bus master implementing a "Topology_Map", it does not appear that any such map would be equivalent to, or descriptive of, a network topology that the network architecture of most interest to this invention is capable of assuming.

Related to these fundamental distinctions, it is pointed out that claim 15 (as well as claims 1 and 9) recite in part that a computer network includes:

"a full duplex bi-directional first port and an initiator that can issue a request for said first port to assume a state,

wherein said first port, when in a first state, is able to bi-directionally communicate with a full duplex bi-directional second port,

wherein said first port, when in a second state, is coupled to itself by having an output thereof coupled to an input thereof". (emphasis added)

It is respectfully submitted that the Examiner has not established that the IEEE 1394 bus of interest to Park is capable of meeting at least the highlighted claim language shown above. For example, Park states at col. 3, lines 31-46 (specifically cited by the Examiner), only the following:

"Referring to FIG. 3, according to the bus reset method of the present invention, a bus is notified of the port state change detected by the physical layer chip (PHY chip) (step 300). It is confirmed whether a new apparatus is connected to any apparatus of the network, namely, whether the state of the port has changed from

the unconnected state to the connected state (step 302). When the state of the port has changed to the connected state, it is detected whether loops exist in the connection of the entire bus (step 304). It should be checked whether loops exist since there should be only one cable path for connecting one apparatus to another. When it is confirmed that loops exist, the bus reset is stopped. When loops do not exist, the bus configuration information of a slave node is transmitted from a master node to the slave node between two connected apparatuses (step 306)."

It is submitted that this portion of Park is not seen to expressly disclose, or even suggest, the claimed subject matter that a port "when in a second state, is coupled to itself by having an output thereof coupled to an input thereof".

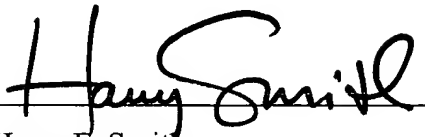
This being the case, and without some further showing on the part of the Examiner, it is submitted that Park cannot anticipate the independent claims 1, 9 and 15. The Examiner is respectfully reminded that for a rejection to be made on the basis of anticipation, it is well recognized that "to constitute an anticipation, all material elements recited in a claim must be found in one unit of prior art", Ex Parte Gould, BPAI, 6 USPQ 2d, 1680, 1682 (1987), citing with approval In re Marshall, 578 F.2d 301, 304, 198 USPQ 344, 346 (CCPA 1978). A careful reading of Park shows that this is clearly not the case.

In that claims 1, 9 and 15 are not anticipated by Park, and should be found to be allowable over Park, then all claims that depend from claims 1, 9 and 15 are also allowable over Park, whether considered alone or with the Wilson SSA-related publication.

The Examiner is respectfully requested to reconsider and remove the expressed rejections, and to allow claims 1-20 as now clarified by amendment above.

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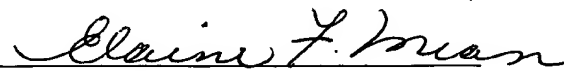
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5/4/2004
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